

Panaji, 10th November, 1988 (Kartika 19, 1910)

SERIES I No. 32

OFFICIAL



GAZETTE

GOVERNMENT OF GOA

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Department of Mines

Notification

5/23/88-ILD

In exercise of the powers conferred by sub-section (2) of section 26 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957) (hereinafter called the 'said Act'), the Government of Goa hereby directs that the powers exercisable by the State Government under sub-sections (3) and (4) of section 21 of the said Act, shall also be exercised by the following officers of the Directorate of Industries and Mines, Government of Goa, namely:—

- (1) Director of Industries and Mines; and
- (2) Senior Geologist.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 18th October, 1988.

Department of Labour

Notification

25/5/88-ILD

The following draft Notification which is proposed to be issued under sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) (hereinafter referred to as the "said Act"), for fixing the minimum rates of wages payable to various categories of employees employed in various trades mentioned in the said draft in the scheduled employment of "Employment in processing and canning of foodstuffs including fish and beverages", is hereby pre-published as required by clause (b) of sub-section (1) of section 5 of the said Act. Notice is hereby given that the said draft would be taken into consideration by the Government after the expiry of two months from the date of publication of this Notification in the Official Gazette. Persons likely to be affected by the said draft

may forward their suggestions or objections, if any, to the Secretary (Labour) to the Government of Goa, Secretariat, Panaji before the expiry of the said two months so that such suggestions and objections could be taken into account at the time of finalisation of the draft.

DRAFT NOTIFICATION

In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with clause (iii) of sub-section (1) of section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the Government of Goa, after complying with the requirements of prepublication, hereby fixes the minimum rates of wages payable to the categories of employees employed in "employment in processing and canning of foodstuffs including fish and beverages", as shown in the Schedule below:—

SCHEDULE

Sr. No.	Category of work	All inclusive minimum rates of wages
1	2	3

Category I.

A — 1. Manager	
2. Accountant	Rs. 34.00 per day or
3. Head Operator	Rs. 284.00 per week or
4. Head Conditioning Operator	Rs. 884.00 per month.
5. Chemist	
6. Sales Supervisor	
7. Chemist	
8. Sales Supervisor	
9. Head Operator	
10. Office-In-Charge	
11. All other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.	

B — 1. Store Keeper	Rs. 29.00 per day or
2. Clerk	Rs. 174.00 per week or
3. Steno Typist	Rs. 754.00 per month.
4. Supervisor	
5. Driver	
6. Salesman	
7. Operator	
8. Grader	
9. Washing Machine Operator	

10. Cashier
11. Electrician
12. Carpenter
13. Refrigerator Mechanic/Operator
14. Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries.

Category II

- | | |
|--|------------------------|
| 1. Junior Mechanic | Rs. 23.00 per day or |
| 2. Asstt. Store Keeper | Rs. 138.00 per week or |
| 3. Dealing Boy | Rs. 598.00 per month. |
| 4. Mechanic Operator | |
| 5. Processor | |
| 6. Feeding Machine Operator | |
| 7. Machine Operator | |
| 8. Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries | |

Category III

- | | |
|--|-----------------------|
| 1. Grinder | Rs. 15.00 per day or |
| 2. Mixer | Rs. 90.00 per week or |
| 3. Cleaner/Washer | Rs. 390.00 per month. |
| 4. Helper | |
| 5. Peeler | |
| 6. Gardener | |
| 7. Labourer | |
| 8. Bottle Loading Operator | |
| 9. Ice Loader | |
| 10. Loader | |
| 11. Any other categories by whatever name called doing the work of the nature done by the persons falling under the foregoing entries. | |

Explanation for the purpose of this Notification.

1. Where in any area or establishment scheduled employment wages fixed under this Notification are lower than the wages fixed by the Central Government or by agreement or settlement or contract or contractors' Regulations attached to the conditions of Contract, the higher rate would be payable as Minimum Wages under this Notification.
2. The minimum rates of wages fixed are inclusive rates including the wages for the weekly day of rest.
3. The minimum rates of wages are applicable to employees engaged by the Principal Employers or Contractors or Sub-Contractors etc.,
4. Both men and women workers have to be paid the same rates of wages fixed for the same category or for equal work.
5. The minimum rates of wages payable to, an adolescent certified to work as an adult shall be the same as payable to an adult. In case

he or she is certified to work as an adolescent only, the rates of wages payable shall be 80% of the minimum rates of wages fixed for adults.

6. Where part-time workers are employed they should be paid on pro-rata wages in accordance with the number of hours of work done.
7. Where payment is made on piece-rate basis for any of the categories for which time-rate is fixed the wages of the employees shall not be less than the minimum time rate fixed a normal days work.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 28th September, 1988.

Law (Legal and Legislative Affairs) Department

Notification

10-3-88/LA

The Constitution (Fifty-ninth Amendment) Act, 1988 which was passed by Parliament and assented to by the President of India on 30-3-1988 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-3-1988 is hereby published for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 26th September, 1988.

The Constitution (Fifty-Ninth Amendment) Act, 1988

AN

ACT

further to amend the Constitution of India.

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Constitution (Fifty-ninth Amendment) Act, 1988.

2. *Amendment of article 356.*— In article 356 of the Constitution, in clause (5), for the proviso, the following proviso shall be substituted, namely:—

“Provided that nothing in this clause shall apply to the Proclamation issued under clause (1) on the 11th day of May, 1987 with respect to the State of Punjab.”.

3. *Insertion of new article 359A.*— (1) After article 359 of the Constitution, the following article shall be inserted, namely:—

‘359A. *Application of this Part to the State of Punjab.*— Notwithstanding anything in this Constitution, this Part shall, in relation to the State

of Punjab, be subject to the following modifications, namely:—

(a) in article 352,—

(i) in clause (1),—

(A) for the opening portion, the following shall be substituted, namely:—

“If the President is satisfied that a grave emergency exists whereby —

(a) the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or armed rebellion; or

(b) the integrity of India is threatened by internal disturbance in the whole or any part of the territory of Punjab,

he may, by Proclamation, make a declaration to that effect in respect of the whole of Punjab or of such part of the territory thereof as may be specified in the Proclamation.”;

(B) in the *Explanation*,—

(1) after the words “armed rebellion”, the words “,or that the integrity of India

is threatened by internal disturbance in the whole or any part of the territory of Punjab,” shall be inserted;

(2) after the words “or rebellion”, the words “or disturbance” shall be inserted;

(ii) in clause (9), after the words “armed rebellion”, at both the places where they occur, the words “or internal disturbance” shall be inserted;

(b) in article 358, in clause (1), after the words “or by external aggression”, the words “or by armed rebellion, or that the integrity of India is threatened by internal disturbance in the whole or any part of the territory of Punjab,” shall be inserted;

(c) in article 359, for the words and figures “articles 20 and 21”, at both the places where they occur, the word and figures “article 20” shall be substituted.’

(2) The amendment made to the Constitution by sub-section (1) shall cease to operate on the expiry of a period of two years from the commencement of this Act, except as respects things done or omitted to be done before such cesser.